

Notice of Allowability

Application No.

09/998,633

Examiner

Frank Duong

Applicant(s)

ROSIER, CORINNE

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications dated 08/31/07.
2. ☒ The allowed claim(s) is/are 1-2, 4-6, 8-20 and 28 (now 1-19 accordingly).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is a response to communications dated 08/31/07. Claims 1-2, 4-6, 8-20 and 28 are pending in the application.

Allowable Subject Matter

2. Claims 1-2, 4-6, 8-20 and 28 are allowed.

3. The following is an examiner's statement of reasons for allowance: The below listed references are considered most relevance prior art to the claimed invention. Most of them teaches selective repeat (SR) automatic repeat request (ARQ) and some of them further teach associating a timer with a transmitter such as in ETSI TS 101 761-1 V1.1.1, section 6.4.2.11, page 69. However, the prior art of record, considered individually or in combination, fails to fairly show or suggest the claimed invention comprising, among other limitations, novel and unobvious limitations of "*associating a timer with a periodic reception of the bitmap block at the transmitter; deactivating said timer after a maximum duration, and then considering said packets associated with said bitmap block to be in said an unacknowledged state by said transmitter; and after deactivating said timer, and when at least one packet associated with said bitmap block is in said unacknowledged state, positioning at least some unacknowledged packets associated with said bitmap block in a retransmission queue,*" structurally and functionally interconnected with other limitations in a manner as recited in claims 1-2, 4-6, 8-20 and 28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Malmgren et al (USP 6,778,501).

Li et al, Automatic Repeat Request (ARQ) Mechanism in HIPERLAN/2, IEEE, pages 2093-2097, 2000.

Zorzi et al, Throughput of selective-repeat ARQ with time diversity in Markov channels with unreliable feedback, J.C. Baltzer AG, Science Publisher, pages 63-75, 1996.

Yoshioka et al, Automatic Repeat Request Schemes for High-Speed Wireless Access Systems with Constraints of Finite Control Channel Quality, IEEE, pages 447-451, 1999.

ETSI TS 101 761-1 V1.1.1, pages 1-87, 2000.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is 571-272-3164. The examiner can normally be reached on 7:00AM-3:30PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



FRANK DUONG
PRIMARY EXAMINER

November 5, 2007